

MEMORANDUM FOR: DISTRIBUTION

FROM: Jolene A. Lauria Sullens
Deputy Chief Financial Officer/
Director of Budget

SUBJECT: Full Senate Action on the FY 2002 Commerce-Justice-State
Appropriation

On September 13, 2001, the Senate passed the FY 2002 Appropriation for the Departments of Commerce, Justice, State, the Judiciary and Related Agencies. This included the FY 2002 funding request for the National Oceanic and Atmospheric Administration (NOAA). Attached for your information are tables summarizing the two consolidated Managers Amendments, as well as colloquies that clarify Senate intent. The Senate has requested a conference with the House, and has appointed its conferees (Senators Hollings, Inouye, Mikulski, Leahy, Kohl, Murray, Reed, Byrd, Gregg, Stevens, Domenici, McConnell, Hutchison, Campbell and Cochran); House conferees have not been announced as yet. It also has been reported that conference action may begin as early as the week of September 17, 2001; however, nothing has been formally scheduled at this time.

The Administration has requested a funding level of \$3,056,600,000 for NOAA in its FY 2002 budget, and the full Senate has recommended a total NOAA funding level of \$3,360,285,000 for NOAA an increase of \$303,685,000 over the President's request, and an increase of \$10,600,000 above the Senate Appropriations Committee recommendation. The table below provides a comparison of summary funding levels provided by the full Senate for NOAA relative to the FY 2001 appropriation, and the FY 2002 President's Request.

(\$ in Thousands)

	FY 01 Enacted	FY 02 President's Request	FY 02 Committee Mark	FY 02 Senate Floor Action	Senate Floor vs. Pres Bud
NOAA Total	\$ 3,105,912	\$ 3,056,600	\$ 3,349,685	\$ 3,360,285*	+ \$ 303,685
ORF	\$ 1,925,615	\$ 2,177,309	\$ 2,270,305	\$ 2,270,305	+ \$ 92,996
PAC	\$ 681,249	\$ 764,861	\$ 764,861	\$ 940,610	+ \$ 175,749
Other	\$ 499,048	\$ 114,430	\$ 114,430	\$ 142,370*	+ \$ 27,940

* Senate Total includes \$7.0M in mandatory funding, and Other funding includes \$3.0M that is offset by a transfer to ORF. Total Discretionary Funding is actually \$3,352,835,000.

A revised Control Table, and Side-by-Side comparison of language will be published as soon as certain questions concerning placement of funding revisions has been resolved. Any questions that you might have on the attached should be addressed to Jill R. Meldon, Acting Budget Director, on (202) 482-0917.

Attachments

**Managers Amendments - SA 1535 to S. 1215 -
Affecting the National Oceanic and Atmospheric Administration**

Sponsor(s)	NOAA LO/Acct	Provision Sponsor	Provision
Hollings Gregg	NOAA	Not stated	References to ANOAA Operations, Research and Facilities,@ANOAA Procurement, Acquisition, and Construction,@and ANOAA Pacific Coastal Salmon Recovery@were replaced by the phrase Aconservation activities defined.@
	NOAA ORF	Not stated	Funding ceiling for Executive Direction and Administration (EXAD) changed from \$54,255,000 to \$23,290,000. This brings bill language in concert with report language.
	NOAA ORF	Not stated	Establishes a ceiling of \$22M for use of deobligated funds, beyond which a reprogramming notification is required.
	NOAA PAC	Not stated	Provides clarifying corrections to language pertaining to the Coastal and Estuarine Land Conservation Program.
	NOAA PCSR	Not stated	Provides clarifying corrections to language pertaining to the Pacific Coastal Salmon Recovery section.
	DOC WCF	Not stated	Adds a clarifying phrase to the effect that all transfers of funds, functions or personnel to or from the Working Capital Fund (WCF) will require reprogramming notifications.
	DOC CAMS	Not stated	Reduces WCF funding for CAMS from \$15M to \$7M. Also changes language so that none of the CAMS disbursements may come from NOAA. Previous language allowed \$15M to come from NOAA.
	DOC WCF	Not stated	Adds language requiring OMB to issue a quarterly Apportionment and Reapportionment Schedule, and a SF 133, for the DOC WCF and A&R account.

**Managers Amendments - SA 1558 to S. 1215 -
Affecting the National Oceanic and Atmospheric Administration**

Sponsor(s)	NOAA LO/Acct	Provision Sponsor	Provision
Hollings Gregg	NOAA ORF NOS	Breaux	Within Operations and Research Account, \$1.5M is earmarked for planning and design of research facilities to be located in Lafayette, LA
	NOAA ORF NOS/OAR	Gregg	Earmarks \$300K Afor a variable and Eurasian milfoil education and prevention program in NH, and \$300K shall be available only for the CT River Partnership.@
	NOAA NMFS	Stevens	Anchorage Sister Cities Commission may export two whale jawbones on a one-time basis to Whitby, North Yorkshire, UK.
	NOAA NMFS	Crapo	NMFS and USFWS shall conduct a review of the agencies joint regulations governing consultations on Federal agency actions under subsection (a)(2) of section 7 of the ESAY.to ensure consultations are completed within deadlines provided in that section and have streamlined documentation requirements, and make necessary modifications not later than April 1, 2003.
	NOAA ORF NOS/OAR	Gregg	Increase ORF account by \$600K, from \$2,267,705,000 to 2,268,305,000 in order to cover \$600K earmark for NH
	NOAA PAC NOS	Not stated	Increase PAC account by \$1.5M, possibly to fund the Lafayette, LA plan and design.
	NOAA PCSF	Not stated	Increase Pacific Coastal Salmon Recovery fund by \$4M
	NOAA NMFS	Smith Wyden	Increase NOAA ORF account by \$5M for West Coast Groundfish Coop Research (\$2M), and Oregon Groundfish Disaster Assistance (\$3M)
	NOAA		Earmarks \$2.5M from the Coastal and Estuarine

	NOS	Reed	Land Conservation Program for land acquisition at Rocky Point, in Warwick, RI.
	NOAA PAC	Not stated	Reduce NOAA PAC account by \$500K (from the Norman Consolidation) and give to ITA TD account. An earlier NOAA PAC change raised the PAC account by \$1.5M. The total PAC increase is now \$1.0M.

Colloquies on S 1215/SRpt 107-42/HR 2500
September 13, 2001

- Senator James Inhofe (R-OK)'s amendment decreased funding for NOAA's Procurement, Acquisition and Construction account by \$500,000 out of the \$15 million destined for the "Norman (OK) Consolidation Project" and shifted the funds to an International Trade Administration processing center in McCain County, OK. The NOAA project aims to consolidate the National Severe Storms Lab, the Storm Prediction Center, the National Weather Service Radar Operations Center, the Norman Weather Forecast Office, and the University of Oklahoma Meteorological Department.
- Senator Patty Murray (D-WA) received assurances for additional \$4 million added in the Managers amendment for Washington State's share under the Pacific Salmon Recovery Fund. This raised the total for Washington State in the fund to \$24.1 million and the total for the entire account to \$74 million;
- Oregon Senators Gordon Smith (R) and Ron Wyden (D) received assurances that the \$1 million earmarked within the Pacific Coastal Salmon Recovery Fund for natural threats to Klamath River coho salmon would be spent in Oregon. Chairman Hollings agreed to this clarification;
- An amendment offered by Senator Wyden as part of the Managers amendment provided an additional \$5 million for Oregon groundfish. This includes \$3 million for economic assistance for fishermen impacted by the loss of the August court case which resulted in further reducing allowable harvests beyond the 64 percent average over the last five years. The assistance is to be used for lump sum payments to some 3,000 affected fishermen, according to Senator Wyden.
- An additional \$2 million of the \$5 million is to be used by NOAA Fisheries to put out-of-work groundfish fishing vessels and their owners to work doing annual groundfish data collections;
- Senator Mary Landrieu (D-LA) was assured that of the \$31 million provided for "Coastal Protection and Restoration Project" that \$15 million would go to Louisiana and \$15 million would go to Alaska for coastal impact assistance.
- Senator John Breaux (D-LA), once again, urged that \$1.5 million be added to the bill for planning and design for a new NOAA research facility in Lafayette, LA. The facility is for the study of coastal and fisheries problems in the Northern Gulf of Mexico. Senator Breaux told his colleagues that the building was completed long ago but "it is still 80 percent vacant because of 1995 report language which prevents NOAA from occupying this state-of-the-art facility. "I have worked since 1998 to remove this restriction with little success," he said.